

ton) "This Preparation formerly known as Dr. Holbrook's Kola Powder"; (circular) "This Preparation Manufactured and Sold by us for 15 years under the name of Dr. Holbrook's Kola Powders Kola (*Stercula Acuminata*) One of the most valuable of recent discoveries in the medical world comes from Western Africa, being the fruit of a tall handsome tree, resembling somewhat our horse chestnut. This nut, or seed, about the size of a pigeon's egg, is, when powdered, of a bright red color, having a slightly pungent aromatic taste. Called in Guinea, 'Kola Nut'; In the Soudan 'Goru Nut.' It has for centuries been highly prized by the natives for its great nourishing and medicinal value. When gathered, they are bitter and unpalatable. Placed on mats by the women, and carefully dried in the sun, the taste is by no means unpleasant. During long and exhausting marches, through the forests and over mountains, the natives, by chewing this nut, avail themselves of its restorative, fatigue-lessening properties. It acts as a powerful stimulant, tonic and nourisher as well as Sustainer. The marchers require little other food at such times, and remain in fine physical condition. Kola Nut of high quality is used in the manufacture of Holbrook's Ka-Kolo." Misbranding was alleged for the further reason that the label failed to bear a statement of the quantity or proportion of acetanilid contained in the article, since the statement made was incorrect. Misbranding was alleged for the further reason that the following statements in the labeling were statements regarding the curative and therapeutic effects of the article, and were false and fraudulent: (carton) "For the Relief of Nervous or Sick Headache, * * * Grip, Alcoholic Depression and to Ease Pain"; (circular) "* * * and all Nervous Troubles For the Relief of Nervous or Sick-Headaches, * * * Woman's Ills, Asthma, Indigestion, Malaria, * * * and La Grippe, and to counteract the effect of Alcoholic Stimulants. * * * Caffeine The active principle of Kola Nut, Guarana and Coffee, has a remarkable restorative effect upon the muscles, particularly muscles exhausted by severe physical effort. It lessens fatigue when induced by labor, whether mental or physical, and conversely, prevents fatigue by arresting the tissue waste in the muscles. It is a safe stimulant to the brain, clearing the mind and dissipating gloom. The action of the heart and respiration are strengthened by its use, and the body generally invigorated. Caffeine puts an unroused person into a thoroughly roused condition, by imparting instantly that excitement which he lacks One may find in it the means for doing a large amount of work in a given time without food yet without fatigue or a sense of overwork. Its remarkable restorative powers render it valuable to individuals who suffer from Neuralgia of a vague character, probably due to muscular fatigue. It will readily be seen why Dr. Holbrook's Ka-Kolo gives such prompt relief in all forms of Headache, for Migraine or Nervous Sick-Headache especially,—the Headaches from which anemic, nervous and hysterical women suffer so much,—as well as other pains peculiar to their condition and sex. * * * For indigestion, Dyspepsia or Sour Stomach:— * * * For late night's dissipation:— * * * For Relieving Pain in Rheumatism, * * * Painful Menstruation, etc.:—One Powder every two hours, until relieved. For * * * Influenza and La Grippe:—One Powder every one or two hours, until relieved. For Sleeplessness:—One Powder on retiring. For delicate females, and persons who are sensitive to, or quickly respond to the action of medicines, the dose should be smaller—One-half Powder, repeated if necessary For Children— $\frac{1}{4}$ to $\frac{1}{2}$ Powder, according to age."

On September 19, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23275. Misbranding of Sannette Powder. U. S. v. 22 Packages of Sannette Powder. Default decree of condemnation and destruction. (F. & D. no. 33149. Sample no. 61087-A.)

This case involved a drug preparation which was labeled with unwarranted curative and therapeutic claims.

On July 30, 1934, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 packages of Sannette Powder at Louisville, Ky., alleging that the article had been shipped in interstate commerce, on or about February 19, 1934, by Sannette, Inc., from Cincinnati, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample showed that the article consisted essentially of boric acid (36.2 percent) zinc sulphate, aluminum sulphate, ammonium chloride, and small proportions of methyl salicylate, phenol, and menthol.

The article was alleged to be misbranded in that the statement on the label, "For treating wounds, cuts * * * ulcers; Use a teaspoonful of Sannette to a quart of warm water", was a statement regarding the curative or therapeutic effects of the article, and was false and fraudulent.

On September 5, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23276. Misbranding of Prestolas. U. S. v. 22 Packages of Prestolas. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 33153. Sample no. 6334-B.)

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 1, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 packages of Prestolas at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about May 29, 1934, by the Union Capsule Co., from Bloomfield, N. J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of capsules containing volatile oils, including pennyroyal oil, and savin oil (42 percent), and a fixed oil.

It was alleged in the libel that the article was misbranded in that the statements on the carton label, "For Treatment of Amenorrhea, Dysmenorrhea, or Painful and Irregular Menstruation", were false and fraudulent.

On August 24, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

23277. Misbranding of Epsotabs. U. S. v. 37 Dozen Packages, et al., of Epsotabs The Laxative. Decrees of condemnation. Portion of product released under bond to be relabeled. Remainder destroyed. (F. & D. nos. 33172, 33253. Sample nos. 2713-B, 4677-B.)

These cases involved shipments of a product labeled "Epsotabs", a designation conveying the impression that it was an Epsom salt preparation. Analysis showed the presence of phenolphthalein in one lot and phenolphthalein and aloin in the other lot, which drugs would be responsible for its principal therapeutic effect, Epsom salt being present in amounts which would have no appreciable laxative effect.

On August 6, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 43 dozen packages of Epsotabs at Washington, D. C. On August 18, 1934, a libel was filed against 236 packages of Epsotabs at Columbus, Ohio. It was alleged in the libels that the article had been shipped in interstate commerce, by the Dill Co., from Norristown, Pa., in part on or about January 11, 1934, into the State of Ohio, and in part on or about July 20, 1934, into the District of Columbia, and that it was misbranded in violation of the Food and Drugs Act.

Analysis of a sample from each shipment showed that the article consisted of coated tablets containing in each approximately $1\frac{1}{2}$ grains of phenolphthalein, and magnesium sulphate equivalent to 4.9 grains (or 4.6 grains) of Epsom salt; the product in one shipment also contained aloin.

The libels charged that the article was misbranded in that the statement, "Epsotabs, The Laxative", borne on the label, was false and misleading, since it created the impression that the article was essentially a preparation of Epsom salt; whereas its content of Epsom salt was practically negligible, and its physiological effects, in one lot, were due to its content of phenolphthalein, a synthetic laxative drug derived from coal tar, and, in the other lot, to its content of phenolphthalein and aloin.